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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/792,124	03/03/2004	Chang K. Park	P/4266-5	3901
2352 7590 06/29/2010 OSTROLENK FABER GERB & SOFFEN 1180 AVENUE OF THE AMERICAS NEW YORK, NY 100368403				
EXAMINER				
JIANG, YONG HANG				
ART UNIT		PAPER NUMBER		
2612				
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06/29/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/792,124

Applicant(s)

PARK, CHANG K.

Examiner

YONG HANG JIANG

Art Unit

2612

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Applicant's amendment filed 4/30/2010 has been entered. Claim 19 is amended. Claims 1-18 are cancelled. Claims 19-25 are pending.

Response to Arguments

Applicant argues on the 6th paragraph of page 8 that Griesau teaches nothing about how to program the remote so that it is able to control a particular device. The examiner respectfully disagrees. The claims are broadly written and may be given their broadest reasonable interpretation. Griesau discloses how to program a remote so that it is able to control a particular device via entering a programming mode to program TV push button 54 to allow automatic transmission of a plurality of functions that simplify the operation of the remote control unit and reduce the number of push button presses. The plurality of functions programmed may control the TV according to the sequence of commands entered. (See Col. 5, lines 46-59)

Claim Objections

Claim 19 objected to because of the following informalities: on line 4, a comma appears to be missing after the word "category". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claim 19-20, 22, 24-25 rejected under 35 U.S.C. 103(a) as being unpatentable over Griesau et al. (6,507,306).

Regarding claim 19, Griesau discloses a method of enabling a universal remote control to remotely control a plurality of remotely controllable devices each belonging to a respective device category (via the use of universal remote control unit for controlling the operation of a plurality of devices, See the Abstract and Col. 3, lines 38-51), the universal remote control unit having a plurality of lights corresponding to each device category (via each of the plurality of mode push buttons may be having, for example, a backlit light-emitting diode, See Col. 3, lines 49-51), a processor having a programming mode for programming the processor to control a particular device (via processor 60 may be programmed to allow TV push button 54 to be programmed, See Col. 5, lines 46-59), and a keyboard having a plurality of buttons for providing respective keyboard output signals upon user activation of respective ones of the buttons (via input means 12 comprising pushbuttons, See Fig. 1-2), the plurality of buttons including a first group of functional buttons (via mode buttons 52, 54, 56, and 58, See fig. 1) and a second group of digit buttons (via pushbuttons 36); which method comprises:

(a) user activation of at least one of the functional buttons to cause the lights to turn on in sequence (via input means 12 comprising push button 40 and mode push buttons 50 for initiating and selecting a mode change sequentially as desired, See Col. 3, lines 38-45 and Col. 4, lines 49-62; and Figures 1 and 2);

(b) user activation of at least one of the functional buttons when the light associated with the device category of the particular device it is desired to program is lit

for placing the processor in the programming mode (via TV push button 54 and OK/SEL push button 45 are pressed at the same time and held down until TV push button 54 illuminates indicating that processor 60 is ready to be programmed, See Col. 5, lines 46-59); and

(c) user actuation of at least one of the functional or digit buttons when the processor is in the programming mode for programming the processor to operate the particular device (via push buttons in keyboard 30 to enter the desired program commands, See Col. 5, lines 52-59).

Griesau discloses that the universal remote control may be programmed to remotely control a plurality of different devices each belonging to a device category (See Col. 3, lines 38-51). But Griesau did not specifically disclose each device such as the cable box, TV set, video device, and the audio device are each made by a different manufacturer. However, the examiner takes Official Notice that it is old and well known that the devices may easily be made by different manufacturers in a remote control environment such as a user's home. In a user's home, the TV may be made by SONY, and the cable box may be made by RCN, and etc. Therefore, programming a universal remote control to remotely control a plurality of devices each having been manufactured by a different manufacturer is well within the skill of one of ordinary skill in the art.

Regarding claim 20, Griesau discloses step (c) key comprises user activation of at least one of the digit buttons (via push buttons in keyboard 30, Col. 5, lines 52-59).

Regarding claim 22, Griesau discloses step (a) comprises user activation of a first one of the functional buttons to cause a first one of the lights to turn on, followed by

actuation of at least a second one of the functional buttons to cause the first light to turn off and a second light to turn on (via input means 12 comprising push button 40 and mode push buttons 50 for initiating and selecting a mode change sequentially as desired, See Col. 3, lines 38-45 and Col. 4, lines 49-62; and Figures 1 and 2).

Regarding claim 24, Griesau discloses in step (a) the lights are cause to stay on for a predetermined period of time (See Col. 4, lines 33-35).

Regarding claim 25, Griesau discloses including actuating at least one functional button after step (c) to enable programming of another particular device (via a user may actuate push button cable 52 and OK/SEL push button 45 to program another device, Col. 5, lines 46-59).

2. Claim 23 rejected under 35 U.S.C. 103(a) as being unpatentable over Griesau as applied to claim 22 above, and further in view of Huang et al. (US 6,437,836).

Regarding claim 23, Griesau discloses the universal remote control includes a plurality of directional buttons (See Fig. 1), but Griesau did not specifically disclose the step of sequentially turning on the lights includes selectively actuating the directional buttons. Huang teach an extended functionally remote control system, the system include a plurality of directional keys to allow for backwards and forwards scrolling of selections (See Col. 5, lines 54-63).

From the teachings of Huang, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the universal remote control of Griesau to include step of sequentially turning on the lights includes selectively

actuating the directional buttons as taught by Huang to scroll through available selections, thereby making the remote control easier to operate.

3. Claim 21 rejected under 35 U.S.C. 103(a) as being unpatentable over Griesau as applied to claim 19 above, and further in view of McConnell et al. (US 5,872,562).

Regarding claim 21, Griesau did not specifically disclose each of the device has a code associated therewith, the universal remote control includes a plurality of buttons and the step of programming the processor includes sequentially turning on the lights by actuating at least one of the buttons to enter the code for a particular device.

McConnell teaches a universal remote control transmitter with simplified device identification. To program the remote control to control a particular device, the user first activates an entry key, thereafter a key to indicate the category of the selected device, and thereafter two digits which together signify the manufacturer and model number. The keyboard output signals resulting from activation of the keys are stored in RAM in the microprocessor controlling the remote control transmitter's operation. The stored values in RAM constitute an address for the memory. Under microprocessor control, the data read out from memory is then applied to the transmitter driver circuit to cause the properly formatted device control signal to be transmitted. (See the Abstract)

From the teachings of McConnell, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the remote control unit of Griesau to include each of the device has a code associated therewith, the universal remote control includes a plurality of buttons and the step of programming the processor includes sequentially turning on the lights by actuating at least one of the buttons to

enter the code for a particular device as taught by McConnell to access data stored in memory to properly transmit control signals to a desired appliance.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YONG HANG JIANG whose telephone number is (571)270-3024. The examiner can normally be reached on M-F 9:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian A. Zimmerman can be reached on 571-272-3059. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Y. J./
Examiner, Art Unit 2612

/Brian A Zimmerman/
Supervisory Patent Examiner, Art Unit 2612